




J. Craig Whitley
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

In re:)
) Case No.: 21-30589
LTL MANAGEMENT LLC,¹)
) Chapter 11
)
Debtor.)

**ORDER APPOINTING THE
OFFICIAL COMMITTEE OF TALC CLAIMANTS**

This matter came before the Court on November 4, 2021, upon the *Motion of the Bankruptcy Administrator to Appoint an Official Committee of Talc Claimants* (the “Committee Motion”) filed by the Bankruptcy Administrator on October 28, 2021 [ECF No. 227], seeking the appointment of an official committee of talc claimants. The following claimants sought an expansion of the proposed committee membership as set forth in the following papers filed on the docket:

(i) the *Limited Objection of Aleathea Goodins to the Motion of the*

¹ The last four digits of the Debtor’s taxpayer identification number are 6622. The Debtor’s address is 501 George Street, New Brunswick, New Jersey 08933.

Bankruptcy Administrator to Appoint an Official Committee of Talc Claimants and Request to be Appointed to the Official Committee of Unsecured Creditors, filed on October 29, 2021, by Aleathea Goodins, a claimant represented by D. Miller & Associates, PLLC [ECF No. 240] (the “Goodins Objection”);

- (ii) the *Motion of Linda Rabasca and Brandi Carl in Opposition to Proposed Order Appointing Official Committee of Talc Claimants Entered 10/28/21*, filed on November 1, 2021, by Linda Rabasca and Brandi Carl, claimants represented by Golumb Spirt Grunfeld, P.C. [ECF No. 256] (the “Rabasca/Carl Motion”);
- (iii) the *Response and Application of Joseph McGovern to the Motion of the Bankruptcy Administrator to Appoint Official Committee of Talc Claimants*, filed on November 1, 2021, by Joseph McGovern, a claimant represented by Cohen Placitella & Roth PC [ECF No. 258] (the “McGovern Response”);
- (iv) the *Response to Motion to Appoint Official Committee of Talc Claimants*, filed on November 2, 2021, by Sue Sommer-Kresse, a claimant represented by Motley Rice LLC [ECF No. 278] (the “Sommer-Kresse Response”);
- (v) the *Limited Objection of Julia Lathrop and Daniel Mercer to the Motion of the Bankruptcy Administrator to Appoint an Official Committee of Talc Claimants and Request to be Appointed to the Official Committee of*

Talc Claimants, filed on November 2, 2021, by Julia Lathrop and Daniel Mercer, claimants represented by Burns Charest LLP [ECF No. 279] (the “Lathrop/Mercer Objection”);

- (vi) the *Limited Objection of Kirk Smith to the Motion of the Bankruptcy Administrator to Appoint an Official Committee of Talc Claimants and Request to be Appointed to the Official Committee* filed on November 2, 2021, by Kirk Smith, a claimant represented by Maune Raichle Hartley French & Mudd, LLC [ECF No. 280] (the “Smith Objection”);
- (vii) the *Response and Application of Margaret Watson to the Motion of the Bankruptcy Administrator to Appoint Official Committee of Talc Claimants*, filed on November 3, 2021 [ECF No. 291] by Margaret Watson, a claimant represented by Cooney & Conway (the “Watson Response” and, together with the Goodins Objection, the Rabasca/Carl Motion, the McGovern Response, the Sommer-Kresse Response, the Lathrop/Mercer Objection, and the Smith Objection, the “Responses Seeking Additions”).

Additional responses were filed seeking a change in the TCC’s composition but without nominating specific claimants to be added to the talc claimants’ committee and/or requesting the Court defer consideration of the Committee Motion:

- (i) the *Limited Objection of the William Hart Plaintiffs to the Bankruptcy Administrator’s Motion to Appoint an Official Committee of Talc Claimants [Doc. 227]*, filed on November 3, 2021 [ECF No. 307] by the

law firm Williams Hart Boundas Easterby, LLP (the “Williams Hart Objection”);

- (ii) the *Limited Objection and Reservation of Rights as to the Motion of the Bankruptcy Administrator to Appoint an Official Committee of Talc Claimants*, filed on November 3, 2021 [ECF No. 309] by Maune Raichle Hartley French & Mudd, LLC (the “Maune Raichle Objection”);
- (iii) the *Joinder of Arnold & Itkin LLP on Behalf of Certain Talc Personal Injury Claimants to Limited Objection of the William Hart Plaintiffs to the Bankruptcy Administrator’s Motion to Appoint an Official Committee of Talc Claimants, and Request of Arnold & Itkin LLP on Behalf of Certain Talc Personal Injury Claimants for Adjournment of the Bankruptcy Administrator’s Motion to Appoint an Official Committee of Talc Claimants Pending Resolution of the Venue OSC*, filed on November 3, 2021 [ECF No. 316] by Arnold & Itkin LLP (the “Arnold Itkin Joinder” and, together with the Williams Hart Objection and the Maune Raichle Objection, the “Composition/Timing Objections”).

Based on the Committee Motion, the Responses Seeking Additions, and the Composition/Timing Objections, the arguments of counsel at the hearing held on November 4, 2021, and in light of the pending motions to transfer venue of this case; the Court acting pursuant to its authority under 11 U.S.C. § 1102;

IT IS HEREBY ORDERED that:

A. The Bankruptcy Administrator's Committee Motion is GRANTED without prejudice to further consideration of the Responses Seeking Additions and the Composition/Timing Objections by this or any court with jurisdiction;

B. The following claimants shall constitute the Official Committee of Talc Claimants in this case:

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c/o Ashcraft & Gerel, LLP
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Patricia Cook
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*This Order has been signed electronically.
The Judge's signature and Court's seal appear
at the top of the Order.*

United States Bankruptcy Court